

COURT ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
ADRIAN SCHOOLCRAFT,

10CV6005(RWS)

Plaintiff,

-against-

Rule 26(f)(3)

Amended Discovery Plan

THE CITY OF NEW YORK, et al.,

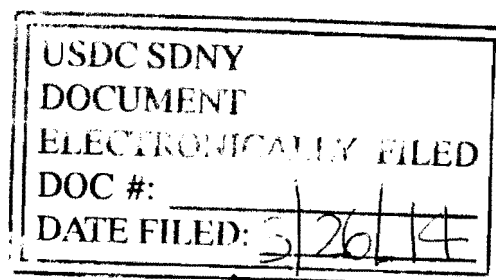
Defendants.
-----X

The parties submit the following Amended Discovery Plan, pursuant to Federal Rules of Civil Procedure Rule 26(f)(3). The dates are from the Court conference of March 13, 2014, and communications between counsel after the March 13, 2014 court appearance.

1. The depositions of the following parties and non-party witnesses will proceed as set forth below. Each deposition shall consist of a maximum of seven hours of actual testimony time.

WitnessesDate of deposition

Captain Timothy Trainor	April 10, 2014
Lt. William Gough	April 11, 2014
Sgt. Frederick Sawyer	April 25, 2014
Sgt. Kurt Duncan	April 28, 2014
Sgt. Shantel James	May 12, 2014
DI Steven Mauriello	May 13, 2014
Jessica Marquez (JHC EMT)	May 14, 2014
Sal Sangianetti (JHC EMT)	May 15, 2014
Christopher Broschart	May 16, 2014
City of NY	May 28, 2014
Sgt. Steven M. Weiss	May 29, 2014
Jamaica Hospital	May 30, 2014



Each deposition shall consist of a maximum of seven hours of actual testimony time. Each party maintains the right to apply to the court for additional time if this is deemed necessary by that party. It is further understood that these dates are subject to slight adjustments due to scheduling conflicts that may arise and due to the availability of witnesses.

2. 3066 NOTICES TO BE SERVED BY 3/28/14.

3. The handling of confidential and attorneys' eyes only confidential and/or privileged information continues to be controlled by the Stipulation and Protective Order and Attorneys' Eyes Only Stipulation and Protective Order so-ordered by the Court on October 3, 2012¹.

4. Local Rule 33.3(c) interrogatories seeking the claims and contentions of the opposing parties shall be served after the depositions of the parties are completed. Plaintiff will respond thereto within twenty days and defendants will respond within twenty days after the plaintiff's response².

5. Fact discovery shall be completed by June 14, 2014.

6. Any expert disclosure not previously made, and the depositions of experts, shall be scheduled for the two months after the fact discovery is completed. Plaintiff's expert disclosure shall be made by June 30, 2014 and defendants' expert disclosure shall be made by July 28, 2014. Depositions of plaintiff's expert(s) shall be completed by ~~August 29, 2014~~ ^{AUGUST 15} and depositions of defendants' experts shall be completed by September 12, 2014. Expert disclosure shall be completed no later than September 19, 2014.

7. Any dispositive motions shall be served to be returnable on October 1, 2014.

_____ MOTIONS BY 8/25 OPPOSITION 9/23

¹ Plaintiff states that the attorney's-eyes-only designations are too broad, improper, and are interfering with the plaintiff's ability to prepare for and participate in pre-trial proceedings. Plaintiff's counsel has raised these objections with the City Defendants and is in the process of designating the documents that the plaintiff's counsel contends should not be subject to the attorney's-eyes-only restriction. As such, the plaintiff objects to this paragraph of the discovery plan.

REPLY
9/30

² Plaintiff objects to the provision providing for contention interrogatories on the ground that they are unnecessary, unduly broad and burdensome and duplicative of other pre-trial proceedings and devises.

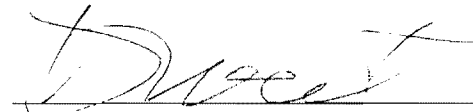
75 JOINT PRETRIAL ORDER BY 10/1. TRIAL 10/13.

8. All dates in this discovery plan are subject to modification. It is expressly understood that the dates for expert discovery are preliminary and may change.

9. The parties have conferred on this Schedule and Agree on the provisions hereof, except as noted above, and submit same to Judge Sweet for his approval.

Dated: New York, New York
March 25, 2014

It is so Ordered

A handwritten signature in black ink, appearing to read "Sweet", written over a horizontal line.

The Hon. Robert W. Sweet, U.S.D.J.